

REMARKS

Claims 12 and 14-17 are pending of which claim 12 is independent. In this Amendment, claim 13 has been cancelled and claim 12 has been amended to incorporate subject matter of cancelled claim 13. Care has been exercised not to introduce new matter.

Rejections of Claims Under 35 U.S.C. § 103

Claims 12 and 14-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanaya et al. (U.S. Patent No. 6,217,158, hereinafter “Kanaya”) in view of Chang (U.S. Patent No. 6,099,111, hereinafter “Chang”) and Hasegawa et al. (U.S. Patent No. 5,530,465 hereinafter “Hasegawa”).

Claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Kanaya in view of Chang and Hasegawa, as applied to claim 12, and further in view of Hackleman (U.S. Patent No. 5,414,245, hereinafter “Hackleman”).

These rejections are respectfully traversed for the following reasons.

As a preliminary matter, *KSR Int’l. Co. v. Teleflex, Inc.* No. 04-1350 (U.S. April 30, 2007) requires the Examiner “to explicitly identify a reason that would have prompted a person of ordinary skill in the relevant field to combine the (prior art) elements.”

The Examiner combined Hackleman’s teaching of having ink nozzles having a pitch of approximately 20 microns to assert the claimed head for an ink jet printer is obvious. The Examiner, however, failed to explicitly identify the reason that would have prompted a person of ordinary skill in the art to combine the prior art.

Hackleman's printer head is very different from the Kanaya printer head. Hackleman's printer head is a thermal transfer type inkjet printer head in which a resistive heater disposed in each ink ejection chamber causes an ink drop to be ejected, whereas Kanaya's printer head is a piezoelectric type inkjet printer head in which piezoelectric elements allocated to each pressure chamber deforms independently of those assigned to other nozzles such that each nozzle can eject ink independently of other nozzles. In view of the above differences between Hackleman and Kanaya, it would not have been obvious to combine the teachings of Hackleman and Kanaya. One of ordinary skill in this art would not look to the thermal transfer printing art to solve a problem in piezoelectric inkjet printing. The Examiner failed to explicitly set forth the reason for combining Hackleman's thermal transfer type inkjet printer head with Kanaya's piezoelectric type inkjet printer head.

Furthermore, even if Hackleman were forcibly combined with Kanaya, and Applicant does not believe such a combination would be obvious, the combination of Hackleman and Kanaya would fail to disclose the following limitation of claim 12, "a pitch of the ink nozzles is approximately 20 μm ", because Hackleman's stripes 18A-18D illustrates the pitch of the "material layer" 18 deposited on top of the substrate 14, not the pitch of the "ink nozzles."

Therefore, claim 12 and claims dependent thereupon patentable over the cited prior art.

Conclusion

Upon entry of the above claim amendments, claims 12 and 13-17 remain active in this application. Applicant submits that all of the claims are in condition for allowance.

Accordingly, this case should now be ready to pass to issue; and Applicant respectfully requests a prompt favorable reconsideration of this matter.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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